

09-09-04

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Dated: September 7, 2004

Signature: \_\_\_\_\_

(Tamara Alcaraz)

Docket No.: 421842000400  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Harrihar A. PERSHADSINGH

Application No.: 10/627,372

Confirmation No.: 2447

Filed: July 24, 2003

Art Unit: 1614

For: NOVEL PPAR LIGANDS THAT DO NOT  
CAUSE FLUID RETENTION, EDEMA OR  
CONGESTIVE HEART FAILURE

Examiner: K. Weddington

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed August 5, 2004 (Paper No. 157), Applicant hereby provisionally elects Group I (claims 1-15) drawn to a method for treating or prophylactically preventing an inflammatory or metabolic disorder in a mammal for continued examination.

Applicants reserve the right to revisit the issue of claims in Group II (claims 16 and 17) drawn to a method of screening compounds, should the elected claims be found allowable.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (421842000400). However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 7, 2004

Respectfully submitted,

By   
Shantanu Basu

Registration No.: 43,318  
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PTO/SB/21 (02-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
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|---|----------------------|--------------------------|--------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/627,372               |              |
|   | Filing Date          | July 24, 2003            |              |
|   | First Named Inventor | Harrihar A. PERSHADSINGH |              |
|   | Art Unit             | 1614                     |              |
|   | Examiner Name        | K. Weddington            |              |
| Total Number of Pages in This Submission  | 3                    | Attorney Docket Number   | 421842000400 |

| ENCLOSURES (Check all that apply)  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply (2 pages)                | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund   | Return receipt postcard   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              |   |   |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    |   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |
| <div>Remarks</div>   |   |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | MORRISON & FOERSTER LLP (Customer No. 25226)<br>Shantanu Basu - 43,318 |
| Signature                                  |  |
| Date                                       | September 7, 2004  |

|   |                              |
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| Dated: September 7, 2004  | Signature:  (Tamara Alcaraz) |